

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of January 10, 2013

The regular meeting of the Second Injury Board convened at 2:00p.m.

The following were present:

Mr. Charles Hansberry, representing Commission of Insurance, Chairman

Ms. Lynette Mack, representing State Treasurer

Mr. Wes Hataway, OWCA/Director

Pauline Williams, SIB Director

Michelle Sumrall, Compliance Supervisor

Meridith Trahant, General Counsel

Will Green, General Counsel

Claudia Brumfield, SIB Administrative Assistant

Mr. Charles Hansberry, Chairman, called the meeting to order and asked for Ms. Brumfield to read the minutes of the previous meeting, the first item on the agenda. Ms. Lynette Mack moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Steve Hawkland and passed unanimously.

The Chairman called for the second item, being hearings on pending claims on the January 10, 2013 agenda. There being no hearings, the Chairman moved to Item 3 of the agenda.

The Chairman moved to Item 3 of the agenda. Being the recommendation of Ms. Williams to approve reimbursement on the following claims; filed number 1 thru 27 beginning with Claim #10-0540 and ending with Claim #12-0805; excluding all postponed claims: Claim #11-0487, Claim #11-0819, Claim #11-0835, Claim #11-0848, Claim #11-0887, Claim #12-0151, Claim #12-0287, Claim #12-0506, Claim #12-0577, Claim #12-0593 and Claim #12-0668. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of these claims. The motion was seconded by Ms. Mack and passed unanimously.

1.	Louisiana Office of Risk Management	#10-0540	130 weeks ded.
2.	LUBA Casualty Insurance Company	#10-0924	104 weeks ded.
3.	Chubb Group of Insurance	Postponed #11-0487	104 weeks ded.
4.	Bridgfield Casualty Insurance Company	#11-0615	104 weeks ded.
5.	LA Workers' Compensation Corporation	#11-0795	104 weeks ded.
6.	LA Safety Association of Timbermen	Postponed #11-0819	104 weeks ded.
7.	Louisiana Office of Risk Management	Postponed #11-0835	104 weeks ded.
8.	LUBA Casualty Insurance Company	Postponed #11-0848	104 weeks ded.
9.	LEMIC Insurance Company	#11-0879	104 weeks ded.
10.	Harrah's Operating Company, Inc.	Postponed #11-0887	104 weeks ded.
11.	Rapides Parish School Board	#11-0938	104 weeks ded.
12.	Opelousas General Hospital	#11-0957	104 weeks ded.
13.	LA Workers' Compensation Corporation	#12-0023	104 weeks ded.

14.	LUBA Casualty Insurance Company	#12-0122	104 weeks ded.
15.	LUBA Casualty Insurance Company	Postponed #12-0151	104 weeks ded.
16.	Louisiana Restaurant Association	Postponed #12-0287	104 weeks ded.
17.	LUBA Casualty Insurance Company	#12-0288	104 weeks ded.
18.	Parish Government Risk Management Agency	#12-0344	104 weeks ded.
19.	LA Workers' Compensation Corporation	Postponed #12-0506	104 weeks ded.
20.	Lake Charles Memorial Hospital	Postponed #12-0577	104 weeks ded.
21.	Ace American Insurance Company	#12-0583	104 weeks ded.
22.	LA Workers' Compensation Corporation	Postponed #12-0593	104 weeks ded.
23.	Louisiana Auto Dealers Association	#12-0638	104 weeks ded.
24.	Liberty Mutual Insurance Company	#12-0662	104 weeks ded.
25.	Roy O. Martin Lumber	Postponed #12-0668	104 weeks ded.
26.	Retailers Casualty Insurance Company	#12-0803	104 weeks ded.
27.	Jefferson Parish School Board	#12-0805	104 weeks ded.

The Chairman moved to the fourth item, being the recommendation of the director to deny for reimbursement the following claims: files were numbered 1 through 69 beginning with Claim #09-0915 and ending with Claim #12-0859, excluding all postponed claims: Claim #11-0803, Claim #12-0298, Claim #12-0313, #12-0349 and Claim #12-0638. Mr. Hataway moved to accept the recommendation of the director to deny these claims. The motion was seconded by Ms. Mack and passed unanimously.

1.	Bridgefield Casualty Insurance Company	#09-0915
2.	Commerce & Industry Insurance Company	#10-0727
3.	Louisiana Health Care SIF	#11-0460
4.	American Interstate Insurance Company	#11-0601
5.	Bridgefield Casualty Insurance Company	#11-0604
6.	Not documented	#11-0768
7.	Lincoln Parish School Board	#11-0777
8.	Zurich American Insurance Company	#11-0787
9.	Louisiana Restaurant Association	Postponed #11-0803
10.	American Interstate Insurance Company	#11-0814
11.	Louisiana Office of Risk Management	#11-0817
12.	LUBA Casualty Insurance Company	#11-0932
13.	LA Workers' Compensation Corporation	#11-0960
14.	LUBA Casualty Insurance Company	#12-0013
15.	Louisiana Office of Risk Management	#12-0028
16.	Lafayette Parish School Board	#12-0133
17.	Indemnity Insurance Company of N. America	#12-0243
18.	Parish Government Risk Management Agency	#12-0276
19.	Gray Insurance Company	Postponed #12-0298
20.	Bridgefield Casualty Insurance Company	#12-0301
21.	Vinson Guard Service, Inc.	#12-0306
22.	Louisiana Construction & Industry	Postponed #12-0313
23.	City of Shreveport	#12-0316
24.	LA Workers' Compensation Corporation	#12-0319
25.	New Hampshire Insurance Company	#12-0322

26.	New Hampshire Insurance Company	#12-0325
27.	Lafayette Parish School Board	#12-0326
28.	City of New Orleans	#12-0328
29.	Louisiana Health Care SIF	#12-0331
30.	LUBA Casualty Insurance Company	#12-0332
31.	LEMIC Insurance Company	#12-0334
32.	Louisiana Hospital Association	#12-0337
33.	Parish Government Risk Management	#12-0340
34.	Not documented	#12-0346
35.	ACE American Insurance Company	Postpone #12-0349
36.	Louisiana Workers' Compensation Corporation	#12-0350
37.	U.S.F. & G. Insurance Company	#12-0352
38.	Hartford Casualty Insurance Company	#12-0355
39.	Zurich American Insurance Company	#12-0356
40.	Weyerhaeuser Company	#12-0358
41.	Zurich American Insurance Company	#12-0359
42.	Autozone, Inc.	#12-0360
43.	Hartford Casualty Insurance Company	#12-0363
44.	Lafarge Corporation	#12-0364
45.	Not documented	#12-0365
46.	National Union Fire Insurance	#12-0369
47.	Bridgefield Casualty Insurance Company	#12-0377
48.	American Interstate Insurance Company	#12-0379
49.	Louisiana Office of Risk Management	#12-0389
50.	Ace American Insurance Company	#12-0399
51.	Louisiana Health Care SIF	#12-0400
52.	Not documented	#12-0413
53.	LUBA Casualty Insurance Company	#12-0417
54.	Bridgefield Casualty Insurance Company	#12-0460
55.	Bridgefield Casualty Insurance Company	#12-0520
56.	Not documented	#12-0529
57.	LA Workers' Compensation Corporation	#12-0538
58.	Not documented	#12-0544
59.	Ace American Insurance Company	#12-0610
60.	Not documented	#12-0617
61.	Louisiana Commerce & Trade Association	#12-0629
62.	Louisiana Auto Dealers Association	#12-0638
63.	LEMIC Insurance Company	#12-0686
64.	LUBA Casualty Insurance Company	#12-0745
65.	Not documented	#12-0748
66.	LA Workers' Compensation Corporation	#12-0757
67.	Louisiana Health Care SIF	#12-0774
68.	Louisiana Restaurant Association	#12-0850
69.	Louisiana Auto Dealers Association	#12-0859

The Chairman moved to the fifth item, being the recommendation of the Director to approve reimbursement of the partial payments beginning with Claim #06-0624 Acadia Parish School Board and ending with Claim #10-0740 Opelousas General Hospital. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of the partial payments (243) as submitted on the agenda of January 10, 2013. The motion was seconded by Mrs. Mack and passed unanimously.

The Chairman moved to the sixth item on the agenda, being approval of quarterly payments due beginning with Claim #00-0967 Insurance Company of the State of PA and ending with Claim #99-1063 Orleans Parish School Board. Mr. Hataway moved to accept the recommendation of the director and approve reimbursement of quarterly payments (65) as submitted on the agenda of January 10, 2013. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman then moved to Item #7 of the agenda, public comment. There being no one present from the public, the Chairman moved to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hataway moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

Upon returning from Executive Session, the Chairman made a motion to move out of Executive Session and back to regular session.

The Chairman then made a motion to review of settlements to be paid as discussed and to extend settlement authority as recommended by the Director and discussed in Executive Session to be paid on quarterly basis.

96-0366
99-1028
01-0007
03-0425
04-0684
04-0896
08-0293
08-0484
09-0106
09-0273
09-0334
09-0347
09-0411
09-0457
09-1003
10-0001
10-0111

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10-0603
10-0620
10-0634
10-0781
10-0836
10-1027
11-0156
11-0166
11-0566
12-0327

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The following claims were denied to be paid on an on-going basis:

Claim #08-0837
Claim #10-0552
Claim #11-0482

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

On Item 8 B of the agenda, Second Injury Board litigation; The Chairman made a motion to accept the recommendation of the Director and pay the claims as follows:

Claim #09-0976; recommended by General Council to continue litigation.
Claim #10-0298; recommended by General Council for settlement authority.
Claim #06-0458; recommended by General Council for settlement authority.
Claim #11-0985; recommended by General Council to continue litigation.
Claim #11-0890; recommended by General Council to continue litigation.
Claim #10-0707; recommended by General Council to continue litigation.
Claim #05-0412; recommended by General Council for settlement authority.
Claim #10-0510; recommended by General Council to continue litigation.
Claim #11-0029; recommended by General Council for settlement authority.
Claim #09-0384; recommended by General Council for settlement authority.
Claim #09-0187; recommended by General Council to continue litigation.
Claim #09-0357; recommended by General Council for settlement authority.
Claim #05-0364; recommended by General Council to continue litigation.
Claim #12-0010; recommended by General Council to continue litigation.
Claim #03-0801; recommended by General Council for settlement authority.

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

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On Item 9 of the agenda, any other matters requiring attention; there was not any.

There being no further business to discuss, the Chairman moved to adjourn. Mr. Hawkland moved to accept the chairman's recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 2:43p.m.

Recording Secretary: Claudia Brumfield